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**To:** Microsoft ATR  
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**Subject:** comments on Microsoft settlement

Microsoft's settlement proposal is the most clever self-serving plan I think I have ever heard presented in public. After having seeded the education system (the one market they don't own yet) with their software (by giving hardware requiring their software), they would probably realize at least a 10 fold return on investment during the next 10-15 years. Refusal of this plan is imperative if a nominally competitive market place is to remain.

If the government likes the idea that Microsoft donate equipment to schools, then require that they donate their competitors' equipment. In this case, since they own the operating system used by most computers, then there are few choices (donating Intel equipment that could use other operating systems is not viable because it is clear that most users would opt to use Microsoft's Windows on this equipment). The obvious choices would be Sun equipment or Apple equipment. Given the significant anti-competitive practices of Microsoft over the years, it seems reasonable that their retribution should include strengthening their competitors position in at least one segment of society. While the education market is of significant size, it is not a particular threat to Microsoft itself since their primary market is business, an enormous market which they would retain. An alternative might be to help school districts higher up the chain by donating large equipment (servers, mainframes) that also do not have any possibility of benefiting Microsoft (they also wish to enter the server/mainframe market with their operating system).

If the government is not interested directly helping Sun, Apple or other manufacturers, then the settlement should assiduously attempt to rectify Microsoft's anti-competitive practices by only considering alternatives that clearly do not benefit, even indirectly, Microsoft in any way. This may seem obvious at this point but each proposal needs to be scrutinized by other parties (as was done in this first proposal).

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